

SECTION '2' – Applications meriting special consideration

Application No : 15/05237/FULL1

Ward:
Chislehurst

Address : Queen Mary House Manor Park Road
Chislehurst BR7 5PY

OS Grid Ref: E: 544587 N: 169860

Applicant : Your Life Management Services Ltd

Objections : YES

Description of Development:

Demolition of existing building and erection of three storey building comprising 52 assisted living extra care apartments (37 x 2 bed and 15 x 1 bed) (C2 use) including communal facilities, parking and landscaping.

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 16

Report Update

Members will recall that this application was submitted to Plans Sub Committee 1 on April 28th 2016 where Members resolved to defer the application, without prejudice, to seek a substantial reduction to the bulk, footprint and height of the development to reduce the impact on St Paul's Cray Road and to allow for the parking spaces to be defined by user.

The applicant has considered the request of the Committee and has submitted a detailed response which is summarised below:

- From the discussion at PSC the applicant considers that the members wished to see a substantial reduction in the footprint of the building. Concern is expressed by the applicant that the actual harm from the impact of the additional footprint was not fully expressed either by the Committee or the neighbours who also addressed the Committee.
- On this basis the applicant has addressed the following points:
 - C2 policy use of site and commercial requirements of this Use Class,
 - Impact of the proposal on character and appearance of the Conservation Area and setting of listed buildings,
 - Impact on neighbouring amenity

C2 policy use of site and commercial requirements of this Use Class

"Policy C1 controls that this site should stay in a C2 use. For a modern day C2 use, be that care home, nursing home or extra care use to be a viable ongoing proposition it needs a critical mass of building to provide sufficient proportion of units or bedspaces to communal areas and staffing to make it a viable proposition. The vacant care home on site is a good example of a C2 use not being a viable proposition for the current market as the number of units, its age and design could not sustain the running costs."

Therefore "any C2 use of the site, which Policy C1 controls, is going to be substantially greater in footprint and mass than the existing building to be a viable commercial proposition. The Client's product proposed needs a minimum of circa 50 units to be a viable proposition. Therefore, there is not the ability to 'substantially' reduce the mass of the building being proposed.

The only way possible to reduce the footprint of the building and retain a C2 use on the site would be to increase the overall height of the proposed building on site from its 2 and 3 storeys as currently proposed to 3 and 4 storeys. The applicant's and its professional advisors consider on balance that the proposed scheme and footprint of building at 2 and 3 storeys is more sympathetic to the character and appearance of the Conservation Area rather than amending the scheme to increase its overall height."

Impact of the proposal on character and appearance of the Conservation Area and setting of listed buildings

A Heritage Statement has been submitted with the application which concludes that the existing building has a negative impact on the character and appearance of the conservation area. The applicant considers that the contribution of the site includes the proposed architectural appearance of the building and the mature landscaped grounds which will be enhanced by the provision of 57 new trees which is considerably more than the number of trees to be removed.

"In respect to the setting of listed buildings whilst the built form is closer to Manor Park Road the tree screen which act as a foil to the listed buildings on the opposite side of Manor Park road is maintained and added to. I fail to see how the setting of the listed properties on Manor Park Road could ever be considered to be affected by the proposal. In respect to the listed properties on St.Paul's Cray their significance is probably more the facades than the rear but nevertheless the proposed building does not extend closer to these properties than the existing building. It does extend further to the east but at two storeys. Given the length of rear gardens, change in topography and domestic scale of the proposed building I do not consider the proposal could be considered to impact upon the setting of these listed buildings. We have also enhanced the landscape planting to the rear of the site to reduce the neighbours views into the site. Even if the Council considered some small element of harm which I would dispute, then that would be more than outweigh by the overall positive contribution of the building to the Conservation Area, and the delivery of accommodation that the PPG and London Plan have identified as critical.

Impact on neighbouring amenity

The applicant considers that there was no identification of harm to any specific neighbouring properties so makes a general comment in this respect.

"In this case the Council do not have any adopted standards in respect to separation distances to neighbouring properties, although I am aware of a figure of 21m from habitable room windows quoted to me on other sites in the Borough. I have attached the plan submitted with the application which shows distances to boundaries and window to window distances to those properties. As you can see in all cases the proposal is well in excess of any established separation distances I have ever encountered. Where the building extends further to the east existing tree planting is maintained and there are no primary habitable room windows facing in this direction. To those properties to the north (St. Pauls Cray Road) the closest window to window distance is over 40m at two storeys. The rear north elevation does include some balconies given the excessive distance to neighbouring properties. We can see no planning grounds to say that these balconies should be removed, however if this was the difference to securing a planning consent then this is something my Client would be prepared to concede to."

Highways matters

In view of the comments on parking provision deficiency by Members, the applicant has submitted a document setting out the evidence that they rely on to determine the number of parking spaces for proposed schemes. This uses information about trends in demand for parking in other assisted living schemes run by McCarthy and Stone. The Views of the Councils Highways Officer have been sought and will be reported verbally to Members.

Applicant's Conclusion

The applicant concludes that "I can find no sustainable grounds in which to refuse the current proposal which is supported by the officer recommendation for approval".

"We have looked at the committee's decision positively to see if we can address their concern but to 'substantially' reduce the footprint of the building would necessitate the increase in height of the proposal throughout and on balance we consider that the current proposal would be a better solution with regards to designated heritage assets and neighbours."

The original report is repeated below, updated where necessary.

Proposal

Planning permission is sought for the demolition of the existing 1960's building which comprises a part 2/part 3 storey 38 bed residential care home and replacement with a part 2/part 3 storey building which provides a total of 52 assisted living apartments. There will be 37 x 2 bed units and 15 x 1 bed units. A total of 141 habitable rooms will be provided.

The proposed building will be located towards the rear of the site with much of it closer to the boundary than the existing building and extending significantly further east of the existing building. There are 2 front 'wings' extending towards Manor Park Road.

The majority of the proposed building will be 3 storeys with 2 storey elements in the north west corner (facing properties in Walnut Tree Close) and in the north east corner (facing properties in St Pauls Cray Road and Manor Park Road).

Vehicular access to the site will be via the existing access adjacent to the western boundary. An existing vehicle access located centrally in the frontage will be removed and replaced with a pedestrian only access. To achieve 2 way vehicle movements, the western entrance will be widened to 4.8m.

In addition 44 car parking spaces will be provided along the western access road and the rear boundary. A separate secure and covered mobility and cycle store will be provided within the building envelope.

A recycling and refuse bin store will be provided within the north west corner of the building. A turning head in the internal access road will be provided in this corner of the site to enable refuse vehicles to come into the site to collect refuse and recycling, turn and leave in a forward direction.

Communal facilities will be provided on the ground floor including a communal lounge, wellness suite, a function room, a dining room and kitchen, guest suite, laundry, Managers office and administrative accommodation.

Private balconies are provided for many of the units and a mature planted landscaped area around the south and east of the site provides communal amenity space for residents.

A total of 25 individual trees, one group of trees and 2 areas of evergreen undergrowth will be removed. One further area of evergreen undergrowth will be removed but the 4 tree stems will remain. A landscaping plan has been submitted showing the replacement planting of a significant number of plants and standard and extra heavy standard trees with semi mature trees, particularly along the northern boundary and in the central frontage courtyard.

The applicant has submitted the following documents to support the application: Planning Statement, Design and Access Statement, Heritage Statement, Arboricultural Report, Highways Statement, Construction Method Statement, Site Investigation Report, Noise Impact Assessment, Archaeological Desk Based Assessment, Bat Survey, Phase 1 Habitat Report (Ecology Report), Topographical Survey, Site Investigation Report, Flood Risk Assessment, Drainage Report and Thames Water letter, Energy Statement, Draft Heads of Terms for S106 Agreement, Statement of Community Involvement.

Location

The 1.01 ha site is located on the north side of Manor Park Road close to the junction with St Paul's Cray Road and opposite Prince Consort Drive. The area is wholly residential in character.

To the north are large detached houses that front St Paul's Cray Road, the rear gardens of which adjoin the site. To the east are 2 detached houses, one of which is in St Paul's Cray Road and the other in Manor Park Road. To the south are detached houses on the opposite side of Manor Way at Prince Consort Drive and Bishop's Walk. To the west are detached houses in Manor Park Road and Walnut Tree Close.

The site lies within the Chislehurst Conservation Area but the building is not locally or statutory listed. There are listed buildings adjoining the north of the site at Chesil House (Grade II*), Cleaveland, Crayfield, Grange Cottage and Warren House (all Grade II) in St Paul's Cray Road and the Manor House complex (Grade II) opposite the site in Manor House Road.

Consultations

Comments from Local Residents

Nearby properties were notified and representations have been received.

There have been 7 letters of support for the development. Several objection letters, including The Chislehurst Society, have no objection to the principle of the proposed use but raise objections to other aspects of the development.

There have been letters of objection from the occupants of 16 properties which can be summarised as follows:

- Overdevelopment of the site and more prominent in the street scene.
- Footprint size of the building is increased by 72% which is excessive.
- Height of the building is prominent. Suggested that a basement be constructed to take some development so reducing the height of the building.
- Front of the building is closer to Manor Park Road than the existing building.
- Proposed building of this size is totally out of character with the local area and surrounding buildings.
- Loss of privacy for adjoining residents resulting from the proposed building being closer to adjoining boundaries and from new 3rd floor windows and balconies which directly overlook adjoining gardens and rear elevations.
- Balconies have not been provided at Faulkner House, another McCarthy and Stone development nearby, so why are balconies needed at this site.
- Existing peaceful setting for the listed properties will be lost.
- The development does not preserve the setting of nearby listed buildings so is contrary to current legislation. There is not sufficient public benefit derived from the development to justify a departure from the duty to preserve the heritage assets.

- Also increased noise and activity on the site and from the proposed building being closer to Manor Park Road will have an adverse impact on residents
- Significant tree (many over 10m) and foliage cover in the front of the site is part of the character of this part of Chislehurst and the Chislehurst Conservation Area. Removal of 9 evergreen trees along the frontage will have adverse impact of the site, street view and outlook for residents. Some trees are lost to provide room on the site for this over large building.
- Replacement trees are much smaller than trees being removed. More larger replacement tree should be provided.
- Some trees are being lost or could be damaged to provide space for temporary construction buildings including the wheelwash - this is unacceptable.
- Many of the trees to be retained are deciduous so provide limited screening.
- Inconsistencies in amount of tree removal on different submitted plans
- The removal and pruning of frontage trees would reduce current absorption levels of noise and this is not acceptable.
- Manor Park Road is a busy and congested road at certain times of the day. An additional 44 car parking spaces will lead to greater traffic associated with the site that will add to congestion.
- There will be an additional 104 residents (2 people per flat) and 17 staff and there is concern that 44 parking spaces for residents, visitors and staff is not sufficient and will lead to parking on Manor Park Road adding to existing traffic and parking issues. This will also cause additional noise and nuisance for residents in this area.
- The internal access road only has a few parking spaces along it at present. All of the proposed car parking spaces will be adjacent to residential boundaries and this will result in increased noise and loss of amenity for residents in these properties.
- The vehicle access is very restricted and the internal turning circle is a concern
- Refuse area is close to properties in Walnut Tree Close and is an environmental concern
- The development should be reorientated eastwards away from properties in Walnut Trees Close
- Concerns that residents views were not listened to at public meetings held by the developer at pre application consultation stage
- The increase in the amount of development is to increase profit for the developer and this will be at the expense of residents
- Query the need for more assisted living apartments in Chislehurst following the completion of Faulkner House - need more affordable housing and a greater age range of residents

A site notice was displayed at the premises and the deadline for comments expired on February 16th 2016 and a press advertisement was published on January 13th 2016 and expired on February 3rd 2016.

Comments from Consultees

The Council's Highways Officer raises no objections subject to relevant conditions.

The Council's Drainage Officer raises no objections subject to conditions

The Council's Environmental Health Officer raises no objections subject to conditions.

Thames Water raise no objections subject to conditions and informatives.

The Metropolitan Police Crime Prevention Design Adviser raises no objection subject to relevant condition.

From an archaeological point of view, Historic England advise that there is no interest in the site.

The Advisory Panel for Conservation Areas welcomes the approach to use the site and the retention of the landscaping with its retention of mature trees but consider that the massing of the proposed building needs to be reduced.

From an arboricultural point of view there are no objections subject to relevant conditions

From a heritage and design point of view, no objections are raised.

Planning Considerations

In determining planning applications, the starting point is the development plan and any other material considerations that are relevant. The adopted development plan in this case includes the Bromley Unitary Development Plan (UDP) (2006) and the London Plan (March 2015). Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) as well as other guidance and relevant legislation, must also be taken into account.

1. The application falls to be determined in accordance with the following Unitary Development Plan policies:

- H1 Housing Supply
- H2 Affordable Housing
- H4 Supported Housing
- H7 Housing Density and Design
- H9 Side Space
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T7 Cyclists
- T18 Road Safety
- BE1 Design of New Developments
- BE8 Statutory Listed Buildings
- BE11 Conservation Areas
- BE12 Demolition in Conservation Areas
- BE14 Trees in Conservation Areas

NE7 Development and Trees
NE8 Conservation and Management of Tees and Woodland
C6 Residential Proposals for People with Particular Accommodation Requirements
ER7 Contaminated Land
IMP 1 Planning Obligations

Planning Obligations SPD
Affordable Housing SPD

Emerging Bromley Local Plan

A consultation on draft Local Plan policies was undertaken early in 2014 in a document entitled Draft Policies and Designations Policies. In addition a consultation was undertaken in October 2015 in a document entitled Draft Allocation, further policies and designation document . These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Full details of the Council's Local Development Scheme is available on the website

The most relevant emerging policies include

Draft Policies and Designations Policies (2014)

5.1 Housing supply

5.3 Housing design

5.4 Provision of affordable housing

5.8 Side Space

5.11 Specialist and Older Persons accommodation

6.1 Parking Community Facilities

7.1 Parking

7.2 Relieving Congestion

8.1 General design of development

8.7 Nature and trees

8.33 Statutory Listed Buildings

10.4 Sustainable Urban Drainage Systems

10.10 Sustainable design and construction

10.11 Carbon reduction, decentralised energy networks and renewable energy

11.1 Delivery and implementation of the Local Plan

Draft Allocation, further policies and designation document (Sept 2015)

There are no relevant policies in this document.

2. In strategic terms the most relevant London Plan 2015 policies include:

2.6 Outer London: vision and strategy

3.3 Increasing housing supply

3.4 Optimising housing potential

3.5 Quality and design of housing developments

3.8 Housing choice

3.11 Affordable Housing Targets

3.12 Negotiating affordable housing in individual private residential schemes and mixed use schemes

5.2 Minimising carbon dioxide emissions
5.3 Sustainable design and construction
5.6 Decentralised energy in development proposals
5.7 Renewable energy
5.8 Innovative energy technologies
5.9 Overheating and cooling
5.10 Urban Greening
5.11 Green roofs and development site environs
6.9 Cycling
6.13 Parking
7.8 Heritage assets and archaeology
7.2 An inclusive environment
7.3 Designing out crime
7.4 Local character
7.6 Architecture
7.19 Biodiversity and access to nature
7.21 Trees and woodlands

London Plan 2015 Annex 5: Specialist Housing for Older People

London Plan 2015 Annex 6: Definition of specialist accommodation for older people

Mayors Housing Supplementary Planning Guidance 2016

Housing Standards: Minor Alterations to the London Plan 2016

Parking Standards: Minor Alterations to the London Plan 2016

3. The National Planning Policy Framework 2012 (NPPF) is relevant, particularly Section 6: Delivering a wider choice of high quality homes, Section 7: Requiring good design and 211 - 216 (status of adopted and emerging policies).

Planning History

There is no relevant planning history for this site.

Conclusions

It is considered that the main planning issues relating to the proposed scheme are as follows:

- Principle of Development
- Impact on Heritage Assets and character of the area
- Scale, Siting, Massing and Appearance
- Standard of Accommodation and Amenity Space
- Impact on Neighbour Amenity
- Highways and Traffic Matters (including Cycle Parking and Refuse)
- Trees and Landscaping
- Other technical matters

Principle of Development

Loss of existing building

The existing building was constructed and opened in the mid 1960's. The design and appearance of the building is representative of that period and comprises a mixture of pitched and flat roofs over 2 and 3 storeys. The front and rear elevation include 'wings' that extend towards their respective boundaries. The building has been set towards the rear and the west of the site leaving open space to the south and east that has developed into a mature landscaped area supporting significant trees.

The applicant advises that the building is a poor example of 1960's architecture and does not include any interesting features. It is not protected as a heritage asset in itself. Nor does it contribute to the local architectural context of the site within the Chislehurst Conservation Area or the setting of numerous statutory and locally listed buildings around the site.

In policy terms the demolition of the existing building should be considered in the context of Policy BE12 of the Unitary Development Plan. The policy considers criteria for the removal of buildings that make a positive contribution to the conservation area. The policy goes on to state that 'Acceptable and detailed plans for a replacement scheme will be required, even if it involves total or substantial demolition of an unlisted building in a conservation area that makes little or no contribution to the character and appearance of that area.' In addition the policy requires that 'A condition will be imposed on a planning permission granted, to ensure that demolition shall not take place until a contract for the carrying out of the development works has been made'

It is considered that the loss of the existing building would not result in harm to the character and appearance of the conservation area or lead to harm to the listed and locally listed buildings in the area. As such the demolition of the building is considered to be acceptable subject to the acceptability of the proposed development, which is discussed below.

Acceptability of the proposed use

It is considered that the current use of the building falls within Class C2 of the Use Classes Order 1987 which is defined as

'Use for the provision of residential accommodation and care to people in need of care (other than a use within Class C3 (dwelling houses). Use as a hospital or nursing home. Use as a residential school, college or training centre.'

If the proposal results in the loss of a use or a building as a Class C2 use it is considered that the proposal would be contrary to Policy C1 of the Unitary Development Plan which seeks to retain community uses, including health and social uses unless there is no longer a need for the facility or alternative provision is made for the facility.

This section of the report now considers whether the proposed use as set out in the applicants Planning Statement and supporting information is a use that falls within Class C2 of the Use Classes Order.

The most relevant and up to date policy guidance relating to the provision of accommodation that falls within Class C2 is found in the adopted London Plan 2015 and the approved Housing Supplementary Planning Guidance March 2016.

Policy 3.8 of the London Plan highlights the need to take account of the need for housing choice, including the needs of older people in London.

The Housing SPG encourages local authorities to plan positively for specialist provision and address local and identified needs for specialist accommodation for older people. Self-contained housing for older people such as sheltered housing and extra care accommodation will have an important role in meeting London's housing need, particularly for private and intermediate sale. In addition the SPG recognises that 'net gains' in housing can be achieved by freeing-up existing homes for occupation, particularly under-occupied larger family-sized homes.

Furthermore the SPD goes on to suggest that a simple test as to whether a development is classed as C2 or C3 could be the 'front door' test where the provision of self-contained units with their own front door would usually be Class C3. However account should be taken of the identified components of care and support and the level of communal facilities for residents such as those associated with Extra Care schemes where units may be provided with their own front door but are effectively a Class C2 use.

In the submitted Planning Statement, the applicant has provided a detailed analysis of the need for the provision of specialist housing for older people. This includes national, London-wide and London Borough of Bromley evidence as to the growth in the number of older people as a proportion of the overall population and the extent of specialist housing that is provided for this population group. The London Plan reiterates this point and has set an indicative strategic benchmark to inform local targets for specialist housing for older people 2015-2025. For Bromley the indicative benchmarks targets show a total requirement of 205 with 140 market units and 65 intermediate housing units.

To demonstrate the proposed use of the development, the applicant has submitted an Operation Management Plan setting out the following criteria for consideration:

- McCarthy and Stone will use YourLife Management Services (YLMS) to manage the completed development and will be Managing Agent for the Lease.
- YLMS is registered with the Care Quality Commission and is authorised to provide personal care to people in their own homes.
- A condition restricting the age of the residents to over 70 years
- The care requirements of all residents will be assessed using a Pre Purchase Assessment record.
- Residents are required to sign up to a service charge which includes the maintenance and upkeep of the development and an element of basic assistance from staff. Further charges are made for care and assistance packages which would be informed by the Pre Purchase Assessment. The

care needs are an ongoing concern and can then be tailored to an individual's requirements as they continue to live at the development.

- The compulsory requirement for residents to be subject to a pre-occupation care needs assessment to identify domiciliary and personal care needs.
- Communal facilities are included as integral to the development and are available to all residents.
- The units will all be for market units for leasehold sale and no other tenure type
- The Operational Management Plan advises that the development is staffed by between 14 and 17 staff over a 24 hr period, including an estate Manager, Duty Managers, a Night Manager and care and support workers.

The applicant advises that they are willing to enter into a planning obligation to secure the Class C2 use. The planning obligation will need to include provisions that ensure that the proposed building will be occupied and managed consistent with the Use Classes Order and that this can be secured through the leases assigned to occupiers. The Council expects that the clauses of the S106, together with relevant conditions, will replicate the obligations and clauses for a similar development in Portishead, Bristol where a Planning Inspector considered the clauses and obligations provided a suitable level of control to secure a Class C2 use. The Operation Management Plan and the Lease with residents will form the basis of the S106.

Subject to satisfactory clauses to secure the Class C2 use, it is considered that the use of the site for assisted living extra care apartments falls within Class C2 and, as such, is acceptable in principle.

S106 obligations

UDP Policy IMP3 seeks to mitigate against the impact of development, where appropriate. In this case the relevant contributions would be for affordable housing, health and a financial contribution for highway works.

Affordable Housing

Policy 3.8 of the London Plan supports boroughs in seeking the principles of affordable housing for a range of accommodation including Class C2. The benchmark targets for the provision of specialist accommodation for older people have been referred to above.

In the Submitted Planning Statement the applicant considers that the use of the proposed development would fall within Class C2 of the Use Classes Order 1987 and, as such, no affordable housing provision would be payable under Policy H2 of the UDP or Policy 3.8 of the London Plan.

Whilst the London Plan does support boroughs in seeking the application for principles for the provision of affordable housing for development that falls into Class C2, the Bromley UDP and the current version of the emerging Local Plan do not include policies which seek this specific provision.

At this time it is considered that there is not sufficient policy provision to seek affordable housing providing that measures to secure the use of the development for Class C2 can be included in the s106 legal agreement as discussed in the previous section.

Other S106 contributions

- o The applicant has confirmed that a health care contribution of £54,070 will be included in the S106.
- o The applicant has agreed to pay a financial contribution to secure works to the highway to stop up the existing eastern vehicle access and to widen the vehicle access and crossover at the western entrance.

Impact on Heritage Assets and Character and Appearance of the area

The applicant has submitted a detailed Heritage Statement to support the proposed development. The report puts the development into policy context for heritage assets and considers the impact of the development on the local historic landscape in the immediate area.

The report advises that the site lies within the Chislehurst Conservation Area and there are numerous statutory listed buildings nearby and immediately adjoining the site. There are listed buildings adjoining the north of the site at Chesil House (Grade II*), Cleaveland, Crayfield, Grange Cottage and Warren House (Grade II) in St Paul's Cray Road and the Manor House complex (Grade II) opposite the site in Manor House Road.

The report observes that there is limited inter-visibility between the existing building and the buildings around the site due to mature landscaping, with the exception of the western boundary where planting is limited and the existing building is visible. The report notes that the existing building is poor quality architecture and provides limited contribution to the wider character and appearance of the Chislehurst Conservation Area.

The report goes on to comment that the listed buildings to the north of the site relate primarily to St Paul's Cray for their setting and that the presence of mature vegetation in their gardens and on the boundary of Queen Mary House and the considerable separation distances between these buildings and the development site results in limited shared setting with the development site.

The report raises no objection to the demolition of the existing poor quality building and assessed the visual impact of the proposed building. It concludes that the design of the building has taken features and detailing from the surrounding area. Whilst using 2/3 storey cues from the existing buildings the height of the proposed building has been reduced where there is less boundary screening. The design introduces stepped facades and roof lines to reduce the overall mass of the building and is of significantly higher standard architectural quality.

In conclusion the report considers that the proposed development will have a positive impact on the character and appearance of the Conservation Area where it

is visible and will have a neutral impact on the setting of the surrounding listed buildings.

The area is characterised by detached houses set in plots with good separation between buildings resulting in a spacious feel to the layout of the area. Apart from the church, the application site is the largest plot in this local area with significant space to the front and east of the site.

The proposal to provide one single building which is set back from the front boundary retains the open character of this site that is an important feature of this part of the conservation area. The significant set back from all of the boundaries also maintains a spacious setting for the new building.

The design includes a courtyard feature to the south elevation and this will be landscaped to enhance the mature landscaping that already exists and will be largely retained.

From a heritage and design point of view officers consider that the proposal represents a well-considered scheme and given the extensive landscaped area, the visual impact on the conservation area will be similar to the existing situation and would not be harmful. The design is a considerable improvement to the existing building taking references from local architectural styles. There is more than adequate separation to the statutory listed buildings in St Paul's Cray Road. On this basis it is considered that the character and appearance of the conservation area is preserved.

Scale, Siting, Massing and Appearance

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

UDP Policies BE1, BE11, H7 and H9 and London Plan Policies 3.5, 7.4 and 7.6 set out specific policy requirements relating to the standard of residential development that is expected in the borough. In addition Policies BE8, BE9 and BE11 set out standards expected for development involving or related to listed and locally listed building and in and adjacent to conservation areas. These policies refer to the design of new development, the standard that the development is expected to meet and the impact on the amenities of future occupants of the development and occupants of nearby properties.

The proposed building will be significantly larger than the building that currently occupies the site. The applicant advises that the gross internal area (GIA) of the current building is 2334 square metres. The applicant proposes to add 1677 square metres (GIA) resulting in a building of 4011 square metres. This represents a 72% increase in the overall GIA of the existing building.

Footprint

To accommodate the proposed units the new building will relate to the footprint of the existing building as follows:

- To the west the new building does not extend beyond the existing footprint.
- To the north the new building extends between 5m and 10m closer to the boundary in places, with one part approximately 5m further back from the existing building.
- To the south the new building will not project forward of the existing building where the existing and proposed overlap. The new eastward projection will mostly fall behind the existing building line.
- To the east the new building will project approximately 38m to 41m beyond the footprint of the existing building introducing development into a previously undeveloped part of the site.

Height

In terms of the height, the existing building has a linear 3 storey element that runs through the centre of the building. To the front there are 2 storey forward projecting 'wings'. To the rear there is a 2 storey projecting wing and single storey elements that wrap around the north and west elevation.

The proposed building will be mostly full 3 storeys across the extent of the front elevation with 3 storey forward projecting 'wings' towards Manor Park Road.

In the north-west corner the new building will replace the existing single storey element facing Walnut Tree Close with a 2 storey element.

As the new building then extends eastwards, the building is initially 2 storeys rising to 3 storeys then reducing in height again so that some of this element is 2 storeys with rooms in the roof (to the rear of the boundary with Cleaveland, Warren House and Walton House and Chesil House) reducing again to 2 storeys (to the rear of Crayfield and Grange Cottage). This lower part broadly corresponds to the area

that will be on the undeveloped garden and the higher part corresponds to the footprint of the existing building.

Distances to the boundary

The applicant has submitted a plan showing the separation of the proposed building to the corresponding boundaries.

To the west the 2 storey element will be between 13.9m and 17.2m to the boundary. The 3 storey element will be 13.2m to the boundary.

To the north the 3 storey element is set back approx. 15m from the rear boundary for its full length.

To the south the building is set back from the back edge of pavement by between 23m and 41m.

To the east the boundary separation is a minimum of 23.3m.

Design of the building

The proposed design for this new building picks up on a variety of architectural elements that are seen in the house types in this part of Chislehurst. Elements that are particularly important include the significant articulation of all of the elevations to break up the appearance of these long elevations especially to the north and south. This is achieved by incorporating projecting 'wings,' bay elements and corresponding set backs.

The elevational articulation results in breaks in the roofscape which is further broken up with varying roof heights, the use of pitched and flat roof elements, gable and hipped ends all of which vary the height at ridge and eaves level.

The windows will be a mixture of casement and sash windows and there will be double width, double height doors to provide access to balconies. The dormer windows will be of varying designs, some with flat roofs some pitched, some gable and some hipped.

The applicant has submitted detailed large scale drawings showing construction detail of the various elements referred to above to demonstrate that a high quality finish of this development can be achieved.

Materials

The applicant has provided a schedule and samples of materials that include red multi bricks and white render for the walls and mixed red tiles for the roof. The windows will be a mixture of white UPVC sash and casement windows with UPVC doors. The proposed balconies will be frameless glass with stainless steel fittings.

Brick arch detailing is shown to the top of the windows and there will be Portland stone cills.

In summary, it is considered that the increase in the footprint and height of the proposed building will not result in a building that is excessive in terms of its scale, bulk and mass. This is emphasised by the set back of the building from the road, the considerable separation that will remain between the building and the adjacent boundaries and the retention of much of the mature landscaped area between the proposed building and Manor Park Road. Furthermore it is considered that the design, appearance and proposed materials reflect many features of existing local area and would result in a high quality development on the site.

Standard of Accommodation and Amenity Space

Part 2 of the London Plan Housing SPD (March 2016) sets out detailed guidance for achieving a high quality design for all new development that will ensure that the needs of all Londoners are met at different stages of life. The standards that development must meet relate to unit size and layout, private and communal open space, designing out crime, circulation within the building and within individual units, wheelchair units, car parking, cycle parking, refuse and recycling facilities, privacy and dual aspect units. Other London Plan policies also provide guidance on noise, daylight and sunlight, air quality, climate change and mitigation, water supply, flooding and ecology and these aspects are considered in other sections of this report.

New developments should provide a range of housing choices in terms of mix of housing sizes and types. The development proposes the provision of units with a mix of sizes namely 37 x 2 bed units and 15 x 1 bed units. As the development provides specialist housing there is no requirement for any family housing.

All new housing will be required to meet the standards set out in London Plan Policy 3.8 which has recently been amended and now seeks 90% of all new housing to meet Building Regulations 2010 M4(2) and 10% to achieve Building Regulations 2010 M4(3)(2)(b) for wheelchair accessible dwellings. This recently introduced standard has replaced the Lifetimes Homes and the GLA Wheelchair standards.

An accommodation schedule has been provided showing the size of each unit and this confirms that each flat accords with the space standard requirements set out in London Plan Policy 3.5.

The schedule also identifies 6 of the wheelchair units. Detailed plans have been provided demonstrating the proposed layout of each wheelchair unit. A condition is recommended to secure the provision of 6 wheelchair accessible units as part of the development.

In terms of the provision of communal and private amenity space all residents will have access to a 2.5ha private garden that surrounds the existing property. In terms of private amenity space, of the 52 units, 33 units have walkout balconies, 13 units have private patios and 6 have Juliet balconies.

The majority of the units are single aspect which is contrary to the requirements of the London Plan. In this case the north facing apartments are facing allotment gardens and will not be adversely affected by traffic noise. For the units facing south, there is a mature landscaped screen with mature trees and the nearest unit is set back between 23m and 55m from the back edge of pavement. Whilst this is not preferable the London Plan does allow for single aspects rooms where there is suitable outlook and a generous frontage.

Impact on Neighbour Amenity

The relevant UDP policy relating to the impact of development on the amenity of the residents of adjoining residential properties is Policy BE1: Design of New Development. In addition to the site coverage, height and massing, which have been discussed previously in this report, it is necessary to assess the impact of overlooking that may result in the loss of privacy, and the potential loss of daylight and sunlight to fully understand the impact of the proposed development on the amenity of occupants of adjoining residential properties

Loss of privacy

Concern has been raised by a number of local residents as to the potential loss of privacy that will arise from the increase in width and height of the proposed building.

Along the western boundary there are up to 7 existing bedroom windows overlooking the adjacent properties at first and second floor level.

The proposed building will be partly 2 storey and partly 3 storey in this location and there will be 4 higher level flats with habitable rooms facing west (3 flats at first floor level and 1 flat at second floor levels). The 2nd storey element is positioned so that 3 windows and 2 balconies will be overlooking the bottom of the gardens of Crayside (Manor Park Road) and 6 Walnut Tree Close. The 1st storey element, with 6 windows and 3 balconies, will be located opposite the garden of 6 Walnut Tree Close. The 2 storey element closest to 6 Walnut Tree Close will not have windows in the first or second floor levels.

The separation between the proposed building and this boundary ranges from 14.2m to 17.2m and the proposed building is located no closer to the boundary than the existing building. There is some vegetation along this western boundary with a mixture of coniferous hedge and deciduous trees. This will provide some screening when the trees are in leaf but there is limited screening during the winter months. Additional tree planting is shown along part of this boundary on the proposed landscaping plans to improve the level of screening.

Along the northern boundary the existing building has a limited number of habitable rooms facing the rear elevations of adjacent properties in St Paul's Cray Road. The proposed northern elevation will have considerably more windows, doors and balconies on the upper storeys and will be closer to the boundary but will still be located approximately 15m from the adjacent rear boundary. The proposed separation between existing and proposed habitable rooms ranges from 41.6m to

over 70m. The boundary also has significant deciduous and coniferous screening trees.

The proposed floor layouts and elevations show that the greater number of windows in the north elevation are in locations where there is the greatest separation between existing and proposed buildings and where the deciduous screening vegetation is most prolific. The building has been reduced to 2 storeys plus roofspace accommodation at the rear of Cleaveland and 2 storeys at the rear of Crayfield but the separation is still between 41m and 51m.

The landscape plans show that there will be infill tree planting along this boundary, including larger species, to help reduce overlooking in this northerly direction. The implementation of the landscaping scheme will be secured by condition.

Along the eastern boundary there are 5 secondary habitable rooms at first and second floor level facing The Pinfold in Manor Park Road and Goddington in St Paul's Cray Road. The separation between proposed habitable room windows and the boundary is a minimum of 23m and there is significant intervening mature vegetation much of which will be retained. This provides significant screening to both The Pinfold and Goddington

Along the southern boundary the property will be located mostly along the same line as the existing building albeit with a significant eastward projection. The forwardmost habitable room windows will be between 23m and 41m to properties on the other side of Manor Park Road with the remainder set along the line of the existing building.

In summary it is considered that there will not be a significant loss of privacy for properties on the north, east and southern elevations due to the considerable separation between habitable rooms and the adjacent boundaries.

With regard to the western boundary and taking account of the position of the proposed building that is no closer than the existing building and the presence of existing bedroom windows that already overlook the boundary and properties beyond, it is considered that there will be some limited additional overlooking but this is acceptable within the context described above and would not warrant a refusal of the application.

Loss of daylight and sunlight

Due to the significant separation between the proposed building and the relevant elevations of the nearest residential properties, it is considered that there will be no significant impact on the daylight and sunlight enjoyed by existing properties, such that planning permission could be refused on this basis.

Impact from noise relating to increased parking adjacent to the northern and western boundaries.

The applicant has submitted a Noise Impact Assessment to consider the impact of noise generated by the introduction of additional vehicle parking along the western

and northern perimeter of the site. The report concludes that noise from car movements at the proposed site will be below existing ambient noise levels and is considered acceptable for existing occupants of neighbouring properties and future residents.

The Council's Environmental Health Officer has reviewed the report and concurs with the findings. Therefore it is considered that the development is acceptable in terms of the impact on the amenities of residents of adjoining properties from the use of the proposed car parking spaces.

Highways and Traffic Matters (including Cycle Parking and Refuse)

In policy terms, the relevant UDP policies are T2 (transport effects) and T18 (road safety). The London Plan policy 6.13 seeks provision for car parking and charging electric vehicles and policy 6.9 seeks suitable provision for cyclists. These policies seek to ensure that the projected level of traffic generation will not have an adverse impact on the surrounding road network, that the level of proposed car parking is sufficient to minimise any impact on nearby streets from off-site parking, that the provision of cycle parking is sufficient to meet the London Plan and that the layout of the vehicle access provides safe access to and from the site.

The applicant has submitted a Transport Statement and Parking Study with parking and travel data for similar sites. The existing trip generation has been calculated and estimates 70 trips generated over a 12 hour period. The proposed trip generation has utilised data from other similar McCarthy and Stone developments and estimates 105 trips over a 12 hour period with 8 trips at the AM peak time, 5 trips in the after school peak and 6 trips in the PM peak. The TS also refers to rates of car ownership in other similar developments and finds that the average car ownership is 0.24 per 1 bed unit and 0.57 for a 2 bed unit which results in a total requirement for 25 spaces for 52 flats. The other 19 spaces will be available for staff and visitors. The applicant advises that there will be between 14-17 full time equivalent staff serving the property at varying times over a 24 hour period.

The applicants report also advises that the existing western access will be upgraded to 2-way and the eastern access will become pedestrian only. The TS includes a drawing to show that a 2.4mx43m visibility splay can be provided in both directions. The report advises that the primary splay is partly obscured and that the Council has powers to deal with overgrown vegetation to permanently maintain adequate visibility.

Refuse and recycling will be collected from the rear of the site and a turning head has been provided for this purpose. To accommodate the turning area works to lift the crown of a foxglove tree (T5) are required and details are set out on landscaping plans.

The site is within a low (1b) PTAL area.

Residents have raised concerns about the impact of additional traffic on Manor Park Road particularly at peak times for work and school related traffic.

The Council's Highways Officer advises that the submitted information relating to the traffic generation from the proposed development demonstrates that the number of trips at both peak and off peak times will not have a significantly adverse impact on the highway network in this area.

It is considered that it is unlikely that there will be significant vehicle movements at peak times for Manor Park Road, due to the specialist nature of the proposed development.

As the applicant wishes to use the existing western entrance as an 'in and out' for vehicular traffic it is necessary to consider the provision of visibility splays in this location. It is possible to provide a visibility splay of 2.4 x 43m within the highway in both directions. However the splay in the primary direction is partially obstructed by foliage from a hedge that extends along the front boundary at Crayside. A maximum splay of approximately 2.4m x 37m can be provided taking account of the hedge. The Council has powers to deal with overgrown vegetation to permanently maintain adequate visibility and this could be enforced if the need arises. In addition the road has traffic calming measures and there are speed cushions close to the access which will reduce vehicle speeds.

With regard to the number of parking spaces proposed, the provision of 44 spaces for 52 units and associated staff and visitors, is considered within the requirements of the UDP and, as such, the development is unlikely to result in significant on-street vehicle parking.

With regard to refuse collection the proposed turning head meets the requirements to manoeuvre a refuse vehicle in this location. As previously stated the crown of 1 tree adjacent to 6 Walnut Tree Close will need to be raised to allow the vehicle to pass below and this is considered acceptable.

In summary, it is considered that the volume of traffic generated by the proposed use is unlikely to have an adverse impact on the operation of the local highway network.

Trees and Landscaping

The applicant has submitted a Tree Survey, a Tree Constraints Plan and a revised Tree Protection Plan. A Soft Landscaping Plan has also been submitted.

Policies BE11, BE14, NE7 and NE8 of the Unitary Development Plan provide policy guidance for the consideration of the impact of development on trees.

Policy BE11 relates to conservation areas and proposed development is expected to respect and complement the existing landscape and other features that contribute to the character, appearance or historic value of the area. BE14 specifically relates to trees in conservation areas and states that development will not be permitted if it will damage or lead to the loss of one or more trees unless removal of the trees is necessary in the interest of good arboricultural practice or the reason for the development outweighs the amenity value of the trees. Replacement native trees will be sought.

Policy NE7 requires new development to take particular account of existing trees on the site which, in the interests of visual amenity and wildlife habitat, are considered desirable to retain. Tree Preservation Orders will be used to protect trees of environmental importance and visual amenity. Where trees have to be felled, the Council will seek suitable replanting. Policy NE8 seeks to improve the amenity and conservation value of trees and woodlands and the Council will encourage appropriate beneficial management, appropriate new planting in suitable locations and promote public interest in and enjoyment of trees and woodlands.

Numerous trees will be removed from the site as follow;

- A group of birch trees will be removed from the western boundary (G11),
- 3 trees will be removed just to the north of the existing building (59,60,61),
- Part of the evergreen undergrowth on the eastern side of the site will be removed but 4 individual stems will be retained (G47). Two individual trees will be removed (50 and 51),
- Along the southern part of the site, facing Manor Park Road, part of the evergreen understorey will be removed (G27 and G38) along with 10 individual trees (16,24,25,26,28,29,31,35,36,37)

A detailed landscaping plan has been submitted showing the replacement planting of a significant number of standard and extra heavy standard trees, with semi mature trees along part of the northern boundary and in the front courtyard area.

The Council's Tree Officer has assessed the impact of the above development and considers that the revised plans take account of initial concerns raised about the original tree works. The retained trees would be adequately incorporated and protected as part of the scheme and the landscaping plan provides sufficient details of the species and size of tree planting. Such proposals are considered to be positive steps towards improving the management of the site in landscaping terms. There will be pressure for some clearance pruning but this is generally acceptable as the proposed building is situated on the edge of the canopy spread.

Conditions requiring compliance with the submitted plans for tree protection and landscaping are recommended.

Other technical matters

Ecology

An Extended Phase 1 Habitat Survey and Bat Absence/Presence Survey have been submitted. The Phase 1 report carried out in July 2015 concludes that a bat survey is required for the site and this was carried out in September 2015 and is presented in the Bat Absence/Presence Survey. The Phase 1 report also concludes that an Ecological Clerk of Works should inspect the site prior to demolition, the Rhododendron should be dealt with to stop spreading, works should take place outside the bird breeding season if possible and native species should be included in the landscaping scheme.

The Bat Absence/Presence Survey concludes that, after internal and external inspection the main building is classified as having low bat roost potential. The grounds are used for foraging by one species of bat. The report recommends the provision of 6 bat boxes will be included in the development.

In policy terms this report is assessed against Policy 7.19 of the London Plan which seeks a proactive approach to the protection, enhancement, promotion and management of biodiversity in support of the Mayor's Biodiversity Strategy. On the basis it is considered that the report does not find an ecological reason that the proposed development will have a detrimental impact on biodiversity.

A condition requiring the submission of measures to enhance the development to improve biodiversity has been recommended.

Sustainability and Energy

The applicant has submitted an Energy Statement which sets out measures to meet London Plan policies 5.2: Minimising carbon dioxide emissions and Policy 7.7: Renewable energy. The report concludes that the building construction will far exceed the minimum requirements of Part L of the Building Regulations.

In addition air source heat pumps and solar photovoltaic panels are the most suitable option for utilising renewable technologies.

The report concludes that the development will be able to meet the standard of providing 35% reduction in carbon emissions from renewable sources.

The report has been assessed and, in principle, the approach, methodology and outcome is acceptable and a condition has been recommended requiring the submission and approval of a detailed report in this respect.

Drainage and Sustainable Urban Drainage Systems

The site lies within Flood Zone 1. The applicant submitted a Flood Risk Assessment and a Strategic Drainage Report with the original submission and further amended and explanatory material.

The submitted information has been assessed by the Council's Drainage Officer. The proposals in these documents are considered acceptable to meet policy requirements in the London Policy 5.13 which requires development to utilise sustainable urban drainage systems and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close as possible to source in line with the drainage hierarchy.

A condition requiring compliance with the submitted plans and documents is recommended.

Contaminated Land

The applicant has submitted a Site Investigation Report which has been assessed by the Council's Environmental health Officer. No objections are raised subject to relevant conditions relating to the follow up requirements relating to land contamination and a condition requiring the submission of a Construction Logistics Plan.

Environmental Impact Assessment

The proposed development is Schedule 2 development (under paragraph 10(b) being an 'urban development project' with a site area of more than 1 hectare. Schedule 2 Paragraph 13(b) being and development that is more than 1 hectare that is urban development and which is not dwellinghouse development. Development of whether an EIA is required is considered in relation to Schedule 3 of the Regulations, by virtue of factors such as its characteristics, location and the characteristics of potential impact. However the site is not within a sensitive area as defined by the Regulations.

Taking account of the selection criteria in Schedule 3 of the Regulations, the development would not be likely to have significant effects on the environment generating a need for an EIA by virtue of its nature, size, location or the characteristics of potential impact and is not 'EIA development.'

Mayoral Community Infrastructure Levy

The development will be liable for the payment of the mayoral CIL.

Summary

In summary the proposed development seeks to replace an existing building that previously provided 38 rooms in a traditional care home arrangement with a building that provides 52 assisted living extra care apartments, comprising one and two bedroom units with communal space, a compulsory service charge which includes access to all communal facilities and domiciliary and personal care. In addition all residents will be assessed for further care requirements by way of a pre-purchase assessment process and the level of care provided will depend on the individual level of care requirement of each resident.

The traditional care home falls within Class C2 of the Use Classes Order. The applicant seeks to retain this designation for the existing development and the applicant has submitted an Operation Management Plan setting out measures that the applicant offers to demonstrate that the use of the proposed building will fall under Class C2 and not Class C3 (dwelling house) of the Use Classes Order. In addition a draft S106 agreement has been submitted setting out some of the detailed definitions that are crucial to securing a Class C2 use for the site. The legal agreement will need to include provisions that ensure that the proposed building will be occupied and managed consistent with the Use Class C2 and that this can be secured through the leases assigned to future occupiers.

With regard to the impact of the development on the street scene and the character of the area, the site is currently occupied by a 2/3 storey building with a spacious

setting typified by mature landscaped grounds. The proposed development will be significantly larger, particularly in terms of its width and height. Although there will be some management of the undergrowth and loss of numerous trees, the proposed 2/3 storey building will continue to be set back from the frontage and with mature landscaped grounds. This will provide a spacious setting for the building which will continue to contribute to the character and appearance of the area. In addition the design and appearance of the building will incorporate features that will add interest to the elevation and reflect aspects of the local character which will help to mitigate against the impact of the additional floorspace.

With regard to the impact of the development on the Chislehurst Conservation Area and the listed buildings adjoining the site, it is considered that, despite the increase in the size and height of the proposed building, it would not harm the setting of the listed buildings and would preserve the character and appearance of the conservation area for the reasons set out above.

The impact of the proposed building on the amenity of neighbours has been assessed and whilst it is accepted that the building will be larger and taller than the existing building, there are factors that will help mitigate the impact of the development on the amenity of existing residents. These include the retention of its mature, landscaped setting, the presence of boundary screening, proposals to enhance the boundary screening, the careful positioning of proposed windows to minimise overlooking and the considerable separation between the building and many of the adjacent properties. In view of this, it is considered that the proposed building would not have such an adverse impact on the amenity of neighbours as to warrant refusal of the application.

From a highways point of view it is considered that the traffic generation associated with the use, the level and location of on-site car parking, the revised vehicle access arrangements and the refuse and recycling arrangements are acceptable and would have an adverse impact on the traffic network or the amenities of the occupants of nearby properties.

Taking all of these factors into account and subject to continuing negotiations regarding the measures to secure the site for Class C2 use, it is considered that the proposed development is acceptable, subject to the signing of a legal agreement to secure the Class C2 use, health contributions and highway works.

Background papers referred to during the production of this report comprise all correspondence on file ref: 15/05237, excluding exempt information.

RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT

and the following conditions:

- 1 The development hereby permitted shall be begun before the expiration for 3 years from the date of the permission.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990**

2 The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans and documents, as follows:

Plans:

Existing: SE-2212-03-AC-001A; PP/3096/Chislehurst/F1A
PP/3096/Chislehurst/F2A; PP/3096/Chislehurst/F3; PP/3096/Chislehurst/F4
Proposed: SE-2212-03-AC-002C; SE-2212-03-AC-003; SE-2212-03-AC-004B; SE-2212-03-AC-005C; SE-2212-03-AC-006D; SE-2212-03-AC-007B; SE-2212-03-AC-008B; SE-2212-03-AC-009C; SE-2212-03-AC-010C; SE-2212-03-AC-011D; SE-2212-03-AC-012D; SE-2212-03-AC-013A; SE-2212-03-AC-014A; SE-2212-03-AC-015A; SE-2212-03-AC-016A; SE-2212-03-AC-017A; SE-2212-03-AC-018A; SE-2212-03-AC-019A; SE-2212-03-AC-020A; SE-2212-03-AC-021A; SE-2212-03-AC-022A; SE-2212-03-AC-023A; SE-2212-03-AC-024A; SE-2212-03-AC-025; SE-2212-03-AC-026; SE-2212-03-AC-030-039 inclusive; SE-2212-03-AC-050-057 inclusive
Levels; SE-2212-03-DE-008-Levels layout

Documents:

Planning Statement and Appendices
Design and Access Statement
Transport Statement by Paul Basham Associated dated November 2015 and plan 047.0049.005
Construction Management Plan by McCarthy and Stone dated 14/4/2016 and amended Set Up Plan SE-2212-04-AC-001C
Heritage Statement by CgMs dated January 201
Archaeological Desk-Based Assessment by CgMs dated July 2015
Energy Statement by Focus dated Nov 2015
Arboricultural Report by Ian Keen ref AP/8913-RevA/WDC and plan tpp 8913/02 Rev B; landscaping plans SE-2212-04-LA-002; SE-2212-04-LA-004A; SE-2212-04-LA-005
Statement of Community Involvement by Focus dated October 2015
Extended Phase 1 Habitat Survey by Innovation Group Environmental Services dated 31.7.2015
Bat Presence/ Absence Survey by Innovation Group Environmental Services dated 23.9.15
Flood Risk Assessment by Conisbee dated 8.10.2015 plus amending emails dated January 8th and 11th 2016
Strategic Drainage Report by Conisbee dated 22.4.16
Site Investigation Report by Crossfield dated August 2015
Noise Impact Assessment by 24Acoustics dated 24.11.2015
Primary Methodology Statement for the Proposed Demolition and dismantling Works at St Mary House, Manor Park Road, Chislehurst by Best Demolition Ltd dated 15.4.2016

Reason: For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with Policy BE1 of the Bromley Unitary Development Plan.

3 The development hereby permitted shall be carried out strictly in accordance with the slab levels shown on the approved drawing(s).

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 4** No works associated with the demolition of the existing building shall take place until a legally binding contract of works has been signed for the commencement of the construction of the proposed building hereby approved. Details of the contract shall be submitted to and approved by the Local Planning Authority prior to the commencement of any demolition works.

Reason: To comply with Policy BE12 of the Unitary Development Plan and in the interests of the character and appearance of the conservation area.

- 5** Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

REASON: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties

- 6** Whilst the development hereby permitted is being carried out, provision shall be made to accommodate operatives and construction vehicles off-loading, parking and turning within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and such provision shall remain available for such uses to the satisfaction of the Local Planning Authority throughout the course of the construction period and shall be removed within 3 months of the first occupation of the development.

Reason: In the interests of pedestrian and vehicular safety and the amenities of the area and to accord with Policy T18 of the Unitary Development Plan

- 7** No development shall commence on site, including demolition until such time as a Demolition and Construction Noise and Dust Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details and to the agreed timescale throughout the period of the works.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of adjacent properties and the wider area.

- 8** The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet specific needs of the application site and the development. Details of those measures shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted and implemented in accordance with the approved details. The security measures to be implemented in compliance with this condition shall achieve the Secured by Design accreditation awarded by the Metropolitan Police.

Reason: In the interest of security and crime prevention and to accord with Policy BE1 of the Unitary Development Plan

9 Before any work on site is commenced a site wide energy assessment and strategy for reducing carbon emissions shall be submitted and approved by the Local Planning Authority. The results of the strategy shall be incorporated into the final design of the buildings prior to first occupation. The strategy shall include measures to allow the development to achieve an agreed reduction in carbon dioxide emissions of at least 35% above the TER level required by the Building Regulations 2013. The development shall aim to achieve a reduction in carbon emissions of at least 20% from on-site renewable energy generation. The final design, including the energy generation shall be retained thereafter in operational working order, and shall include details of schemes to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.

Reason: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2 and 5.7 of the London Plan 2015.

10 No part of the development hereby permitted shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to and approved in writing by the Local Planning Authority.

a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval in writing. The desk study shall detail the history of the sites uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved in writing by the Local Planning Authority prior to investigations commencing on site.

b) The site investigation, including relevant soil, soil gas, surface water and groundwater sampling shall be approved in writing by the Local Planning Authority.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors, a proposed remediation strategy and a quality assurance scheme regarding implementation of remedial works, and no remediation works shall commence on site prior to approval of these matters in writing by the Authority. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.

d) The approved remediation works shall be carried out in full on site in accordance with the approved quality assurance scheme to demonstrate compliance with the proposed methodology and best practise guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.

e) Upon completion of the works, a closure report shall be submitted to and approved in writing by the Authority. The closure report shall include details of the remediation works carried out, (including of waste materials

removed from the site), the quality assurance certificates and details of post-remediation sampling.

f) The contaminated land assessment, site investigation (including report), remediation works and closure report shall all be carried out by contractor(s) approved in writing by the Local Planning Authority.

REASON: In order to comply with Policy ER7 of the Unitary Development Plan and to prevent harm to human health and pollution of the environment.

- 11 Details and sample boards of all external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area

- 12 Prior to the commencement of development, including any demolition works, an Ecological Clerk of Works shall be appointed, at the applicants expense, to carry out a pre-site clearance inspection and the subsequent clearance of the site shall be carried out in accordance with the recommendations of a written Method statement to be submitted to and approved by the Local Planning Authority.

Reason: To accord with the requirements of the Extended Phase 1 Habitat Survey dated 31.7.15 and policy 7.19 of the London Plan and in the interests of improving and enhancing bio-diversity on the site.

- 13 Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

REASON: To ensure a satisfactory means of surface water drainage and to accord with Policy ER13 of the Unitary Development Plan.

- 14 Prior to the laying out of any of the external hard surfaces of the development, details and samples of materials shall be submitted to and approved by the Local Planning Authority and shall be implemented in accordance with the approved plans prior to the first occupation of any of the approved units.

Reason: In order to comply with Policy NE7 and BE1 of the Unitary Development Plan and to ensure a visually satisfactory setting for the development.

- 15 Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the

Local Planning Authority shall be erected in such positions along the boundaries of the site as approved and shall be permanently retained thereafter.

Reason: In order to comply with Policy NE7 and BE1 of the Unitary Development Plan and to ensure a visually satisfactory setting for the development.

16 Details of any external lighting within the application site shall be submitted to and approved by the Local Planning Authority prior to its installation. The lighting shall be designed to minimise light spill for foraging bats and be installed prior to first occupation of the use and in accordance with the approved details and permanently retained thereafter.

Reason: To comply with Policy BE1 of the Unitary Development Plan and to safeguard the visual appearance of the building and the area

17 The existing access shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied in accordance with details of an enclosure to be submitted to and approved in writing by the Local Planning Authority. The approved enclosure shall be permanently retained as such.

REASON: In order to comply with Policy T11 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

18 A Service and Delivery Plan shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of any part of the development, and the Plan shall be implemented in accordance with the approved details and permanently retained thereafter.

Reason: In order to comply with Policy BE1 and in the interest of the amenities of the future occupants of the development and the adjacent properties.

19 Before any part of the development hereby permitted is first occupied details of parking for bicycles shall be submitted and approved by the Local Planning Authority and the approved facilities shall be permanently retained thereafter.

Reason: In order to comply with Policy T7 of the Unitary Development Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

20 Prior to the first occupation of the use hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should include measures to promote and encourage the use of alternative modes of transport to the car. It shall also include a timetable for the implementation of the proposed measures and details of the mechanisms for implementation and for annual monitoring and updating. The Travel Plan shall be implemented in accordance with the agreed timescale and details.

REASON: In order to ensure appropriate management of transport implications of the development and to accord with Policy T2 of the Unitary Development Plan

21 Detailed plans of the appearance of and the equipment comprising a ventilation system which shall include measures to alleviate fumes and odours (and incorporating activated carbon filters where necessary) shall

be submitted to the Local Planning Authority for approval prior to first occupation of the approved development; after the system has been approved in writing by the Authority, it shall be implemented in accordance with the approved details before the use hereby permitted first commences and shall thereafter be permanently retained in an efficient working manner.

REASON: In order to comply with Policies S9 and ER9 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 22 Prior to the completion of the superstructure of the building, details of the provision of measures to encourage valued landscapes for bats, birds and reptiles in accordance with the Bat Emergence and Reptile Survey report dated August 2015 shall be submitted to and approved in writing by the Local Planning Authority and measures shall be carried out in accordance with the approved details prior to the first occupation of any of the units and permanently retained thereafter

Reason: To accord with Policy NE5 of the Unitary Development Plan and Policy 7.19 of the London Plan 2015 and in the interest on improving biodiversity on the site

- 23 (i) the use of the apartments within the building hereby approved shall, at all times and unless otherwise agreed by the Local Planning Authority in writing, be used for the designed purpose of providing self-contained independent living units of accommodation for person or persons who, for the purpose of acquiring purchase or lease of any of the approved apartments, are contracted into a care package and who will have a minimum age of not less than 70 years of age as required by condition 24 of this permission. Furthermore the supporting staff and resources associated with the management of the site and the delivery and implementation of the individual care package(s) associated with the terms of the purchase and occupancy of each apartment, together with the occupants' permitted use of facilities provided within the approved building, shall be submitted to and approved by the Local Planning Authority prior to the first occupation of any of the units and shall be retained as such unless agreed in writing by the Local Planning Authority.

(ii) The building shall not be used or occupied for any other purpose (including equivalent provision in Class C2 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or any equivalent provision, and notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015) no permitted changes of use shall occur, unless express written permission of the Local Planning Authority has been obtained.

Reason: The development is a form, density and type of accommodation which has been justified on the basis of meeting a defined need for this type of accommodation and this condition is required to ensure that the development is occupied and managed on this basis and to prevent the conversion of the property to other forms of residential accommodation which may not meet the specified need and which may have impact on the neighbouring uses and the character of the area and to comply with Policy 3.8 of the London Plan 2015 and Policy BE1 and T3 of the Bromley Unitary Development Plan.

- 24** The occupation of the apartments hereby approved shall at all times, and unless otherwise agreed by the Local Planning Authority in writing, be limited to a person aged 70 or over and any resident dependent who satisfies the requirements referred to in condition 23 of this permission. No other person shall occupy any of the approved apartments.
Reason: The development is a form, density and type of accommodation which has been justified on the basis of meeting a defined need for this type of accommodation and this condition is required to ensure that the development is occupied and managed on this basis and to prevent the conversion of the property to other forms of residential accommodation which may not meet the specified need and which may have impact on the neighbouring uses and the character of the area and to comply with Policy 3.8 of the London Plan 2015 and Policy BE1 and T3 of the Bromley Unitary Development Plan.
- 25** The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations 2010 M4(2) for the units identified in the Compliance Checklist marked as non-wheelchair compliant units and shall be retained permanently thereafter
Reason: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants.
- 26** The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations 2010 M4(3) for the units identified in the Compliance Checklist marked as wheelchair units and shall be retained permanently thereafter.
Reason: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants.
- 27** Before first commencement of the use of the building hereby permitted parking spaces and turning spaces shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on land indicated or in such a position as to preclude vehicular access to the said land.
Reason: In order to comply with Policies BE1 and T3 of the Unitary Development Plan and to avoid development without adequate parking provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and road safety.
- 28** While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.
Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy BE1 and T18 of the Unitary Development Plan.

- 29 **The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the approved drawings shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.**
REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.
- 30 **Prior to first occupation an electric vehicle charging point shall be provided to a minimum of 20% of car parking spaces and for all buggy parking spaces with a passive provision of electric charging capacity for an additional 20% of car parking spaces**
Reason: To minimise the effect of the development on local air quality in the vicinity of an Air Quality Management Area and to accord with National Planning Policy Framework paragraph 124 and Policies 6.13 and 7.14 of the London Plan 2015.
- 31 **Other than structures shown on the approved plans, no other additional structures, including water tanks, plant and lift rooms shall be erected upon the roof(s) of the approved building without the written approval of the Local Planning Authority.**
Reason: To comply with Policy BE1 of the Unitary Development Plan and to safeguard the visual appearance of the building and the area
- 32 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Order) 2015, or any future re-enactment of that Order, no satellite dishes, telecommunications masts or equipment or associated structures, shall be installed on the building without the prior written approval of the Local Planning Authority.**
Reason: To comply with Policy BE1 of the Unitary Development Plan and to safeguard the visual appearance of the building and the area.
- 33 **The development permitted by this planning permission shall be carried out in accordance with the surface water drainage scheme for the site set out in the Flood Risk Assessment (Rev 2) by Conisbee dated 8th October 2015, the Strategic Drainage Report (Rev3) by Conisbee dated October 8th 2015, revised drawings entitled Existing Drainage, Soakaway tests, Thames Water records received by email on January 8th 2016 and email from Jean Benard dated January 11th 2016 confirming soakaway capacity of 100 sq metres. The development shall be implemented in accordance with the approved documents and plans prior to the first use of the development and shall be maintained in operational order permanently thereafter.**
Reason: To reduce the impact of flooding both to and from the proposed development and third parties.
- 34 **The development shall be implemented in accordance with the Arboricultural Report/Tree Protection Plan (tpp 8913/02 Rev B) submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.**
Reason: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the

trees to be retained around the perimeter of the site and to comply with Policy NE7 of the Unitary Development Plan.

- 35 The landscaping scheme, including replacement and new tree planting, as shown on the submitted drawings shall be carried out in accordance with the details approved on plan SE-2212-04-LA-002; SE-2212-04-LA-004A; SE-2212-04-LA-005 and implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

- 36 The applicant should ensure that storm waters are attenuated or regulated into the receiving public network through on and off site storage. When it is proposed to connect to a combined sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Reason: In the interests of the protection of the sewerage system and to comply with Policy 5.14 of the London Plan.

- 37 No impact piling shall take place until a piling impact method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the team of the approved piling statement

Reason: In the interests of the protection of the sewerage system and to comply with Policy 5.14 of the London Plan.

You are further informed that :

- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and/or person(s) who have a material interest in the relevant land to pay the Levy (defined in Part2, para 4(2) of the Community Infrastructure Levy Regulations (2010))

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on this site and/or take action to recover the debt.

Further information about the Levy can be found on the attached information note and the Bromley website www.bromley.gov.uk/CIL.

- 2 You should consult Street Naming and Numbering/Address Management at the Civic Centre on 020 8313 4742, email address.management@bromley.gov.uk regarding Street Naming and Numbering
- 3 You are encouraged to use security products particularly for doors and windows that have been tested and accredited by the UKAS (Notified Body). Design guidance documents can be found on the website www.securedbydesign.com.
- 4 Regarding the condition concerning provision of a ventilation system, the Planning Division have prepared a technical guidance note; This covers specification of -
 - the canopy or slot hood over fume generated equipment, which should be fitted with a readily cleanable grease filter
 - coarse and fine pre-filters
 - an insulated carbon filter unit
 - installation of the system (including fan(s)) to prevent transmission of noise and vibration onto adjacent premises.

It is suggested that you may wish to seek advice from the Council's Environmental Services Division, though when you have finalised the details of the system they should be sent to the Planning Division, if possible for the attention of the planner dealing with the planning application. The Council will be concerned that the ventilation system does not have a detrimental impact on the appearance of the building and the area generally. You are advised not to install it prior to Council approval and you should ensure that you have the agreement of any other landowners or tenants onto whose property the system will be attached.

A copy of the technical guidance note can be obtained from the Development Control Section at the Civic Centre. Please write to the Planning Division at the Civic Centre, telephone 020 8313 4956 or email planning@bromley.gov.uk

- 5 Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewerage flooding and pollution to local watercourses
- 6 Thames Water aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9litres/minute at the point where it leaves Thames Water pipes. The developer shall take account of this minimum pressure aim the design of the proposed development.
- 7 Thames Water recommend that all petrol/oil interceptor be fitted to all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses. Thames Water Developer Services can be contacted on 0800 009 3921